

II. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1, 11, 13-22, 31 and 33-39 are pending in the application. Claims 1, 22, and 35 are independent. Claims 1, 11, 13-22, 31, 33, and 34 are allowed.

The undersigned and Applicants' Canadian representative, Mr. Omar Nassif, would like to thank Examiner Gabor for the cordial and productive interview of April 13, 2004. The Examiner's helpful comments and suggestions were instrumental in preparing this response.

Claims 35-39 were rejected as being unpatentable over Schmitt and Richardson, for the reasons discussed at pages 2-3 of the Office Action. Applicants respectfully traverse all art rejections.

As discussed at the interview, Schmitt teaches a method and apparatus for measuring "turbidity" in a fluid. The Schmitt system is a rotatable radiation source and a single translatable radiation detection assembly - see column 7, line 57 to column 8, line 17. In contrast, Claim 35 recites two different radiation sensor elements. Notably, each of the two independent radiation sensor elements are configured to measure radiation intensity in the fluid flow, where the radiation sensor elements are disposed

substantially parallel to each other with respect to a direction of the fluid flow. Even if two sensors were used in Schmitt, they would be disposed perpendicular to each other with respect to the direction of fluid flow. Accordingly, Applicants submit that Claim 35 is fully patentable over the cited art.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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